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02
03 UNITED STATES DISTRICT COURT
04 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

05 JERALD SIMS,) CASE NO. C08-1074-RAJ
06)
06 Petitioner,)
07)
07 v.) ORDER OF DISMISSAL
08)
08 UNITED STATES OF AMERICA,)
09)
09 Respondent.)
10 _____)

11 The Court, having reviewed the Report and Recommendation of the Honorable Mary Alice
12 Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- 13 (1) The Court adopts the Report and Recommendation
14 (2) This matter is DISMISSED, without prejudice, for failure to prosecute pursuant
15 to Local Rule CR 41(b)(2).
16 (3) The Clerk is directed to send copies of this Order to petitioner at his last known
17 address, and to the Honorable Mary Alice Theiler.

18 DATED this 28th day of October, 2008.

19 
20 The Honorable Richard A. Jones
21 United States District Judge
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